

CLAIMS FOR POV DAMAGE

Vehicle Collision on the Installation:

Claims for damages to POVs resulting from collisions on the installation involving hit and run accidents, shopping carts, or animals will only be considered under the Personnel Claims Act (PCA) if the vehicle was being used under orders for the convenience of the Government. However, because most incidents are not unusual, they are normally not payable. (DA Pam 27-162, paragraph 11-5c(3)(k)). For example, it is not an unusual occurrence for a vehicle parked at the Commissary or PX parking lot to be struck by a shopping cart or by a hit and run driver. Nor is it an unusual occurrence for a motor vehicle to strike an animal, such as a deer, on the installation. Vehicle damage alleged to have occurred on-post from driving over a metal spike strip at an Access Control Point (ACP) gate will only be considered under the PCA if the vehicle was being used under orders for the convenience of the U.S. Government or if incident to service.

If your vehicle was damaged due to a traffic accident involving a government vehicle or a government employee acting within the scope of his employment, please contact the Fort Sam Houston Claims Office immediately in Building 153 or at 221-1973.

Theft from a POV:

Claims for theft from a POV require that the POV be "properly located" on the installation. This means that the vehicle must be properly registered and insured in accordance with the local regulation. The claimant must provide clear and convincing evidence that the theft occurred on the installation. Often this is done through an MP's report under the Personnel Claims Act. It is also relevant to consider the claimant's behavior that contributed to his or her loss. If the claimant was negligent, i.e., failed to exercise the degree of care expected under the circumstance, the claim may be denied. A common example of an individual's negligence is leaving their POV unlocked.

Information contained in this paper is general in nature and does not constitute legal advice. If you have any questions regarding a specific situation please contact the Fort Sam Houston Claims Office in Building 153 or at 221-1973.